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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/692,350	10/19/2000	Renato John Recio	AUS920000621US1	6899

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EXAMINER
SIDDIQI, MOHAMMAD A

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 07/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	**Applicant(s)**
Office Action Summary	09/692,350	RECIO ET AL.
	Examiner	**Art Unit**
	Mohammad A Siddiqi	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

    A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05/03/04</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-20 are presented for examination.

Specification

2.   The substitute specification filed 05/03/04 has not been entered

because it does not conform to 37 CFR 1.125(b) and (c) because: After

March 1, 2001, all amendments to the specification, including the claims,

must be made by replacement paragraph/section/claim in clean form

(without underlining and bracketing) in order to eliminate (1) the need for

the Office to enter changes to the text of application portions by handwriting

in red ink, and (2) the presence of hard to scan brackets and underlining to

improve the patent publishing process. This practice requires the applicant

to provide a clean copy of an amended paragraph/section/claim together

with a marked up version using applicant's choice of a marking system

showing the changes being made which will aid the examiner. The marked

up version must be based on the immediate previous version and indicate

(by markings) how the previous version has been modified to produce the

clean replacement paragraph(s), section(s), specification or claim(s)

submitted in the current amendment. "Previous version" is defined as the

version of record in the application as originally filed or from a previously

entered amendment.

3.   The abstract of the disclosure does not commence on a separate sheet

in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is

required and must be presented on a separate sheet, apart from any other

text.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis

for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

5.   Claims 1,9, and 17 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Toh et al. (5,987,011) (hereinafter Toh) in view of

Kakemizu et al. (5,805,072) (hereinafter Kakemizu).

6.   As per claims 1, 9, and 17, Toh discloses a method for efficiently

merging subnets comprising the steps (fig 4, col 7, lines 17-18) of:

linking a first subnet having a first subnet (col 7, lines 16-19) manager

(col 18, lines 39-47) and a first database (col 3, lines 57-60), with a second

subnet (col 7, lines 16-19) having a second subnet manager (col 18, lines

39-47) and a second database (col 3, lines 57-60) to create a merged

subnet (col 7, lines 16-19); and

dynamically selecting (col 8, lines 1-6) one of said first subnet

manager (fig 4, col 18, lines 39-47) and said second subnet manger (fig 4,

col 18, lines 39-47) as a master subnet manager (col 7, lines col 7, lines 16-

36, bigger subnet must be master subnet), which controls the entire

merged subnet (col 7, lines 16-36) wherein control of the entire merged

subnet includes control of both said first subnet and said second subnet (col

7, lines 17-36).

Toh is silent about the database utilized to control the entire first

subnet, configuring subnet, However, Kakemizu discloses the database

utilized to control the entire first subnet (fig 2B, 2C, col 4, lines 52-67)

configuring subnet (routing table, col 4,lines 52-67).

Therefore, it would have been obvious to one of ordinary skill in the art

at the time invention was made to combine Kakemizu with Toh because it
would support optimal routing by having a layer subnet mangers in a
hierarchical network system.

7.   Claims 7, 15, 18, and 19 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Toh et al. (5,987,011) (hereinafter Toh) in view of
Kakemizu et al. (5,805,072) (hereinafter Kakemizu) in further view of
Mahalingaiah et al. (6,754,214) (hereinafter Mahalingaiah).

8.   As per claims 7 and 15, Toh discloses first and second subnets each
comprises multiple nodes wired (fig 1, col 1, line27) together to create a
wired (fig 1, col 1, line27) subnet that is controlled by a single subnet
manager (col 7,lines 17-36), and said selecting step provides a single
master subnet manager (col 7,lines 17-36).

Toh and Kakemizu does not specifically discloses further comprises de-
activating the management function of the subnet manager not selected as
the single master subnet manager.

However, further comprises de-activating the management function of
the subnet manager not selected as the single master subnet manager (col
12, lines 37-43).

Therefore, it would have been obvious to one of ordinary skill in the art

at the time invention was made to combine Toh and Kakemizu with Mahalingaiah because it would support dynamic reconfiguration of network mangers.

9.   As per claim 18, Toh discloses first subnet manager is said master subnet manager (col 7, lines 17-36, ID's and keys are the characteristics of the node); and

first subnet manager absorbs configuration entries from said second database into said first database to create a merged database (col 7, lines 17-36, ID's and keys are the characteristics of the node, bigger must be master), and

Toh does not specifically discloses control/management functions of said second subnet manager.

Kakemizu discloses control/management functions of said second subnet manager (fig 2A-2C, col 4, lines 27-45).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Kakemizu with Toh because it would support optimal routing by having a layer subnet mangers in a hierarchical network system.

Toh and Kakemizu does not specifically discloses not selected as the subnet are deactivated.

However, Mahalingaiah discloses subnet not selected as the master

subnet manager are deactivated (col 12, lines 37-43).

Therefore, it would have been obvious to one of ordinary skill in the art

at the time invention was made to combine Toh and Kakemizu with

Mahalingaiah because it would support dynamic reconfiguration of network

mangers.

10.   As per claim 19, Toh discloses first subnet manager controls and

manages said system utilizing said merged database (routing table, col 17,

line 36, col 7, lines 17-36).

11.   Claims 2-6, 8,10-14, and 20 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Toh et al. (5,987,011) (hereinafter Toh) in view of

Kakemizu et al. (5,805,072) (hereinafter Kakemizu) in further view of

Jensen et al. (6,185,612) (hereinafter Jensen).

12.   AS per claims 2 and 10, Toh discloses partitioning subnet, updating

the routing tables which is configurable (col 7, lines 16-36 and col 3, lines

66-67). Toh is silent about the configuration entries including a partition key

(P-Key) and a global unique identifier (GUID), which are time-stamped with

a time said configuration entries are modified by respective ones of said first

and second subnet managers.

However, Jensen database comprise configuration entries

each including time-stamped a partition key (P-Key) and a global unique

identifier (GUID) (col 10, line 15), which are time-stamp indicates a time

(measuring response time, col 9, lines 19-26) that said configuration entries

are created and modified by respective ones of said first and second subnet

managers (col 10, lines 9-18 and col 9, lines 4-16).

Therefore, it would have been obvious to one of ordinary skill in

the art at the time invention was made to combine Toh with Jensen because

it would support collaborative network computing by merging two or more

subnets and also better secured route selection strategy.

13.   As per claims 3 and 11, Toh discloses said first subnet manager is

selected as said master subnet manager, said method further comprising the

step of:

absorbing said subnet configuration entries from said database of the

second subnet- manager to said database of said master subnet manager to

create a merged database (col 7, lines 16-36) of subnet configuration

eateries (routing tables, col 7, lines 25-30).

14.   As per claims 4, 12, and 20, Toh discloses merging two subnets,

portioning subnets and updating the routing tables (col 7, lines 17-36).

Toh is silent about the step by process of authentication:

determining that a first GUID entry of said second database is the same as a

second GUID entry of said first database; and

in response to said determining step, selecting a most recent time-stamped

GUID entry from among said first GUID entry and said second GUID entry as

a representative GUID entry for said merged database.

However, Jensen discloses determining that a first GUID entry of said

second database is the same as a second GUID entry of said first database;

and in response to said determining step, selecting a latest time-stamped

(measuring response time, fig 4-7, col 9, lines 19-26) GUID entry from

among said first GUID (col 10, line 15) entry and said second GUID entry as

a representative GUID entry for said merged database (col 10, lines 9-32).

Therefore, it would have been obvious to one of ordinary skill in the art

at the time invention was made to combine Toh with Jensen because it

would support collaborative network computing by merging two or more

subnets and also better and secure route selection strategy.

15.   As per claims 5 and 13, Toh discloses the step of discarding a GUID

entry not selected as said representative GUID entry (col 16, lines 53-58).

16.   As per claims 6 and 14, Toh discloses determining that a first P-Key

entry of a GUID of said second database of said other subnet manager is the

same as a second P_key entry of a different GUID (route identifier source,

col 8, line31) of said first database (col 8, lines 1-50); in response to said

determining step, changing all occurrences of said P_Key in said second

database to a new P-Key value (fig 9A and 9B, col 7, lines 17-36).

17.   As per claim 8, Toh discloses of configuring (col 6, lines 48-60) said

merged subnet utilizing said master subnet manager (col 7, lines 17-36).

Response to Arguments

18.   Applicant's Remarks, filed 05/03/04, are moot in view of the new

grounds of rejection necessitated by Applicants amendment.

Conclusion

19.   THIS ACTION IS MADE FINAL. Applicant is reminded of the

extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

MAS

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100